



Town of Merrimack, New Hampshire

Community Development Department

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Town Hall - Lower level - East Wing

www.merrimacknh.gov

Planning - Zoning - Economic Development - Conservation

MERRIMACK ZONING BOARD OF ADJUSTMENT

AGENDA FOR WEDNESDAY, MAY 25, 2022

MATTHEW THORNTON ROOM

7:00 P.M.

*(clicking on a link in **blue text** will display the staff report for the selected application, clicking a link in **green text** will display a Google Map photo of the site location)*

PLEASE TAKE NOTICE THAT, in accordance with the provisions of NH RSA 676:7, a Public Hearing will be held by the Zoning Board of Adjustment of the Town of Merrimack, in the Matthew Thornton Room on the second floor of the West Wing of Town Hall, at 8 Baboosic Lake Road, on Wednesday, May 25, 2022 at 7:00 P.M. to consider the petitions described in the agenda below.

1. Call to Order
2. Roll Call
3. Annual Meeting – Election of Officers & [Review of Rules of Procedure](#)
4. **Richard Kalika (petitioner)** - Appeal from an Administrative Decision regarding the Planning Board decision made on April 5, 2022 pertaining to the KTK Realty Trust, LLC site plan. The parcel is located at 20 Star Drive in the I-1 (Industrial) and Aquifer Conservation Districts. [Tax Map 3D-1, Lot 12](#).
5. **Deborah Atamanchuck (petitioner/owner)** – [Variance under Section 2.02.3 of the Zoning Ordinance to permit mixed use \(residential and bakery\) in the C-2 \(General Commercial\) District](#). The parcel is located at 4 Mound Court in the C-2 (General Commercial), Aquifer Conservation, and Elderly Housing Overlay Districts. [Tax Map 4D-4, Lot 2](#). Case # ZBA 2022-15.
6. **Black Diamond Development, LLC. (petitioner) and 744 DW LLC (owner)** – [Variances under Section 2.02.3.B of the Zoning Ordinance to permit an industrial warehouse use in the C-2 \(General Commercial\) District and Section 3.02 to allow for a rear setback of 5 feet whereas 40 feet is required](#). The parcel is located at 744 DW Highway in the C-2 (General Commercial) District. [Tax Map 7E, Lot 35](#). Case # ZBA 2022-16.
7. **Black Diamond Development, LLC (petitioner) and MM Reality Trust (owner)** – [Variance under Section 2.02.3.B of the Zoning Ordinance to permit an industrial warehouse use in the C-2 \(General Commercial\) District](#). The parcel is located at 734 DW Highway in the C-2 (General Commercial) and Aquifer Conservation Districts. [Tax Map 7E, Lot 31](#). ZBA Case # 2022-17.
8. **Lanna Martin (petitioner/owner)** – [Variance under Section 3.02 of the Zoning Ordinance to permit the installation of an in-ground pool 6 feet from the side property line whereas 12 feet is required](#). The parcel is located at 21 Cassie Lane in the R-4 (Residential, by soils) and Aquifer Conservation Districts. [Tax Map 4C, Lot 47-5](#). Case # ZBA 2022-18.
9. **Mark Giorgini (petitioner/owner)** – [Variance under Section 3.05 of the Zoning Ordinance to permit the construction of a deck 8 feet from the side property line whereas 15 feet is required](#). The parcel is located at 99 Front Street in the R-4 (Residential, by soils), Aquifer Conservation & Elderly Housing Overlay Districts, and Wellhead Protection Area. [Tax Map 6E-1, Lot 6](#). ZBA Case# 2022-19

10. Michael & Shana Starr (petitioners) and 598 DW Highway LLC (owner) – [Variances under Section 3.02 of the Zoning Ordinance to permit a multi-family residential density of one unit per 4,372 square feet whereas 40,000 square feet per unit is required \(6 units whereas 0 are permitted\), a multi-family residence on a lot with a depth of 125 feet whereas 200 feet is required, a front setback of 30 feet whereas 50 feet is required along DW Highway, and a Northerly and Southerly side setback of 40 feet each whereas 50 feet is required.](#) The parcel is located at 598 DW Highway in the C-1 (Limited Commercial), Aquifer Conservation, Elderly Housing Overlay Districts and the Wellhead Protection Area. [Tax Map 6D-1, Lot 028](#). ZBA Case #2022-20.

11. Discussion/possible action regarding other items of concern

12. Approval of Minutes — April 27, 2022

13. Adjourn

Copies of application materials are available at the Merrimack Community Development Department Office in Merrimack Town Hall for review by the general public between the hours of 8:30 A.M. and 4:30 P.M., Monday through Friday. It is the policy of the Board not to take up any new business after 10:00 P.M. and to adjourn by 10:30 P.M.

Posted to website: 5/20/2022